

By: Representative Stevens

To: Insurance

## HOUSE BILL NO. 948

1 AN ACT TO REQUIRE THAT CERTAIN INSURANCE POLICIES OR  
2 CONTRACTS SHALL PROVIDE PAYMENT BY THIRD PARTIES TO CERTIFIED  
3 NURSE PRACTITIONERS; TO AMEND SECTION 83-41-213, MISSISSIPPI CODE  
4 OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. A policy or contract providing for third-party  
7 payment or prepayment of health or medical expenses shall include  
8 a provision for the payment of necessary medical or surgical care  
9 and treatment provided by a duly certified nurse practitioner and  
10 performed within the scope of the license of the certified nurse  
11 practitioner if the policy or contract would pay for the care and  
12 treatment if the care and treatment were provided by a person  
13 engaged in the practice of medicine and surgery or osteopathic  
14 medicine and surgery. The policy or contract shall provide that  
15 policyholders and subscribers under the policy or contract may  
16 reject the coverage for services which may be provided by a  
17 certified nurse practitioner if the coverage is rejected for all  
18 providers of similar services. A policy or contract subject to  
19 this section shall not impose a practice or supervision  
20 restriction which is inconsistent with or more restrictive than  
21 the restriction already imposed by law. This section applies to a  
22 policy or contract delivered, issued for delivery, continued, or  
23 renewed in this state on or after July 1, 1999, and to an existing  
24 policy or contract on the anniversary or renewal date of the  
25 policy or contract, whichever is later. This section does not  
26 apply to policyholders or subscribers eligible for coverage under  
27 Title XVIII of the federal Social Security Act or any similar  
28 coverage under a state or federal government plan. For the

29 purposes of this section, third-party payment or prepayment  
30 includes an individual or group health care service contract, an  
31 individual or group health maintenance organization contract or a  
32 preferred provider organization contract. Nothing in this section  
33 shall be interpreted to require an individual or group health  
34 maintenance organization or a preferred provider organization to  
35 provide payment or prepayment for services provided by a certified  
36 nurse practitioner unless the certified nurse practitioner or the  
37 certified nurse practitioner's collaborating physician has entered  
38 into a contract or other agreement to provide services with the  
39 individual or group health maintenance organization or the  
40 preferred provider organization or arrangement.

41 SECTION 2. Section 83-41-213, Mississippi Code of 1972, is  
42 amended as follows:

43 83-41-213. (1) From and after January 1, 1999, whenever any  
44 policy of insurance or any medical service plan or hospital  
45 service contract or hospital and medical service contract issued,  
46 delivered, administered, continued or renewed in this state  
47 provides for reimbursement for any service which is within the  
48 lawful scope of practice of a duly certified nurse practitioner  
49 working under the supervision of a duly licensed physician as  
50 provided for by rules and regulations implemented by the  
51 Mississippi Board of Nursing under Section 73-15-5(2), the insured  
52 or other person entitled to benefits under such policy shall be  
53 entitled to reimbursement for such services, whether such services  
54 are performed by a duly licensed physician or by a duly certified  
55 nurse practitioner working under the supervision of a duly  
56 licensed physician, notwithstanding any provision to the contrary  
57 in any statute or in such policy, plan or contract. Duly  
58 certified nurse practitioners shall be entitled to participate in  
59 such policies, plans or contracts providing for the services of  
60 nurse practitioners working under the supervision of a duly  
61 licensed physician, as authorized by the rules and regulations  
62 implemented by the Mississippi Board of Nursing under Section  
63 73-15-5(2). Reimbursement shall be based on services rendered by  
64 a duly certified nurse practitioner.

65 It is the intent of the Legislature by this section to  
66 provide for expanded health delivery services and to provide for

67 some reduction of the cost of medical services where possible; and  
68 any payments made hereunder shall either be in lieu of payments to  
69 physicians or payments to physicians shall be reduced by that  
70 amount paid to a nurse practitioner for the performance of  
71 authorized services by such practitioner.

72 (2) Any action taken to prohibit nurses from practicing in a  
73 manner consistent with Section 73-15-1 et seq., including any  
74 limitation on clinical privileging or performing other activities  
75 consistent with standards of nursing practice, is prohibited. Any  
76 rules or regulations that impact the practice of nurse  
77 practitioners shall hereafter be jointly promulgated by the  
78 Mississippi Board of Nursing and the State Board of Medical  
79 Licensure.

80 SECTION 3. This act shall take effect and be in force from  
81 and after July 1, 1999.